



Health & Families Council

**Tuesday, March 28, 2006
9:00 AM – 10:15 AM
Reed Hall**

Action Packet

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Health & Families
Council

Bill Number: HB 351 CS

Meeting Date: 3/28/06

Date Received: _____

Place: Reed Hall

Date Reported: _____

Time: 9:00 AM

Subject: Community residential homes

Council/Committee Action:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS								
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>		Bean								
<input checked="" type="checkbox"/>		Brandenburg								
<input checked="" type="checkbox"/>		Galvano								
<input checked="" type="checkbox"/>		Garcia								
<input checked="" type="checkbox"/>		H Gibson								
<input checked="" type="checkbox"/>		Harrell								
<input checked="" type="checkbox"/>		Homan								
<input checked="" type="checkbox"/>		Robaina								
<input checked="" type="checkbox"/>		Sobel								
<input checked="" type="checkbox"/>		Vana								
<input checked="" type="checkbox"/>		Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
10	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

*Speaker Codes

Lobbyist: L Proponent: P
State Employee: SE Opponent: O
General Public: G Information only: I
Requested to Speak: R

Brandenburg - Ye after roll call

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: **Health & Families**
Council

Bill Number: **HB 529CS**

Meeting Date: **3/28/06**

Date Received: _____

Place: **Reed Hall**

Date Reported: _____

Time: **9:00 AM**

Subject: **vehicle prevention**

Council/Committee Action:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS								
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Bean								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Brandenburg								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Galvano								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Garcia								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	H Gibson								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Harrell								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Homan								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Robaina								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Sobel								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Vana								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
11	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

***Speaker Codes**

Lobbyist: L	Proponent: P
State Employee: SE	Opponent: O
General Public: G	Information only: I
Requested to Speak: R	

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Health & Families
Council

Bill Number: HO 699 CS

Meeting Date: 3/28/06

Date Received: _____

Place: Reed Hall

Date Reported: _____

Time: 9:00 am

Subject: health care

Council/Committee Action:

- | | |
|--|--|
| <input type="checkbox"/> Favorable
<input type="checkbox"/> Favorable w/ _____ amendments
<input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute
<input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Retained for Reconsideration
<input type="checkbox"/> Reconsidered
<input type="checkbox"/> Temporarily Postponed
<input type="checkbox"/> Unfavorable |
|--|--|

Final Vote On Bill		MEMBERS	<i>Strike all amendments</i>							
Yea	Nay									
		Bean								
✓		Brandenburg	W/O							
		Galvano	W/O							
✓		Garcia								
✓		H Gibson								
✓		Harrell								
✓		Homan								
✓		Robaina								
✓		Sobel								
✓		Vana								
✓		Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
9	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

***Speaker Codes**

Lobbyist: L	Proponent: P
State Employee: SE	Opponent: O
General Public: G	Information only: I
Requested to Speak: R	

Amendment to HB 699 CS

Strike-All Amendment to HB 699

The amendment expands the definition of primary care office to include obstetrical and gynecological services.

The amendment adds a number of exempt facilities to the supervisory provision created in the bill. The following facilities and practitioners are added to the list of exemptions:

- Hair removal by Advanced Registered Nurse Practitioners;
- Not-for-profit family planning clinics;
- Rural & federally qualified health centers;
- University primary care student health centers; and
- School health clinics.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Bill No. 699 CS

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Benson offered the following:

3
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. Paragraph (a) of subsection (1) of section
7 456.041, Florida Statutes, is amended to read:

8 456.041 Practitioner profile; creation.--

9 (1)(a) The Department of Health shall compile the
10 information submitted pursuant to s. 456.039 into a practitioner
11 profile of the applicant submitting the information, except that
12 the Department of Health shall develop a format to compile
13 uniformly any information submitted under s. 456.039(4)(b).
14 Beginning July 1, 2001, the Department of Health may compile the
15 information submitted pursuant to s. 456.0391 into a
16 practitioner profile of the applicant submitting the
17 information. The protocol submitted pursuant to s. 464.012(3)
18 must be included in the practitioner profile of the applicant
19 submitting the information to obtain certification as a advanced
20 registered nurse practitioner.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

Section 2. Subsections (4) and (5) are added to section 458.348, Florida Statutes, to read:

458.348 Formal supervisory relationships, standing orders, and established protocols; notice; standards.--

(4) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.-

-A physician who supervises an advanced registered nurse practitioner or physician assistant at a medical office other than the physician's primary practice location, where the advanced registered nurse practitioner or physician assistant is not under the onsite supervision of a supervising physician, must comply with the standards set forth in this subsection. For the purpose of this subsection, a physician's "primary practice location" means the address reflected on the physician's profile published pursuant to s. 456.041.

(a) A physician who is engaged in providing primary health care services may not supervise more than four offices in addition to the physician's primary practice location. For the purpose of this subsection, "primary health care" means health care services that are commonly provided to patients without referral from another practitioner, including obstetrical and gynecological services, and excludes practices providing primarily dermatologic and skin care services, which include aesthetic skin care services.

(b) A physician who is engaged in providing specialty health care services may not supervise more than two offices in addition to the physician's primary practice location. For the purpose of this subsection, "specialty health care" means health care services that are commonly provided to patients with a referral from another practitioner and excludes practices providing primarily dermatologic and skin care services, which include aesthetic skin care services.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

53 (c) A physician who supervises an advanced registered
54 nurse practitioner or physician assistant at a medical office
55 other than the physician's primary practice location, where the
56 advanced registered nurse practitioner or physician assistant is
57 not under the onsite supervision of a supervising physician and
58 the services offered at the office are primarily dermatologic or
59 skin care services, which include aesthetic skin care services
60 other than plastic surgery, must comply with the standards
61 listed in subparagraphs 1.-4. Notwithstanding s.
62 458.347(4) (e)8., a physician supervising a physician assistant
63 pursuant to this paragraph may not be required to review and
64 cosign charts or medical records prepared by such physician
65 assistant.

66 1. The physician shall submit to the board the addresses
67 of all offices where he or she is supervising an advanced
68 registered nurse practitioner or a physician's assistant which
69 are not the physician's primary practice location.

70 2. The physician must be board-certified or board-eligible
71 in dermatology or plastic surgery as recognized by the board
72 pursuant to s. 458.3312.

73 3. All such offices that are not the physician's primary
74 place of practice must be within 25 miles of the physician's
75 primary place of practice or in a county that is contiguous to
76 the county of the physician's primary place of practice.
77 However, the distance between any of the offices may not exceed
78 75 miles.

79 4. The physician may supervise only one office other than
80 the physician's primary place of practice except that until July
81 1, 2011, the physician may supervise up to two medical offices
82 other than the physician's primary place of practice if the
83 addresses of the offices are submitted to the board before July

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

84 1, 2006. Effective July 1, 2011, the physician may supervise
85 only one office other than the physician's primary place of
86 practice, regardless of when the addresses of the offices were
87 submitted to the board.

88 (d) A physician who supervises an office in addition to
89 the physician's primary practice location must conspicuously
90 post in each of the physician's offices a current schedule of
91 the regular hours when the physician is present in that office
92 and the hours when the office is open while the physician is not
93 present.

94 (e) This subsection does not apply to health care services
95 provided in facilities licensed under chapter 395 or in
96 conjunction with a college of medicine, a college of nursing, an
97 accredited graduate medical program, or a nursing education
98 program; offices where the only service being performed is hair
99 removal by an advanced registered nurse practitioner or
100 physician assistant; not-for-profit, family-planning clinics
101 that are not licensed pursuant to chapter 390; rural and
102 federally qualified health centers; health care services
103 provided in a nursing home licensed under part II of chapter
104 400, an assisted living facility licensed under part III of
105 chapter 400, a continuing care facility licensed under chapter
106 651, or a retirement community consisting of independent living
107 units and a licensed nursing home or assisted living facility;
108 anesthesia services provided in accordance with law; health care
109 services provided in a designated rural health clinic; health
110 care services provided to persons enrolled in a program designed
111 to maintain elderly persons and persons with disabilities in a
112 home or community-based setting; to university primary care
113 student health centers; to school health clinics; or health care
114 services provided in federal or state facilities.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

115 (5) REQUIREMENTS FOR NOTICE AND REVIEW.--Upon initial
116 referral of a patient by another practitioner, the physician
117 receiving the referral must ensure that the patient is informed
118 of the type of license held by the physician and the type of
119 license held by any other practitioner who will be providing
120 services to the patient. When scheduling the initial examination
121 or consultation following such referral, the patient may decide
122 to see the physician or any other licensed practitioner
123 supervised by the physician and, before the initial examination
124 or consultation, shall sign a form indicating the patient's
125 choice of practitioner. The supervising physician must review
126 the medical record of the initial examination or consultation
127 and ensure that a written report of the initial examination or
128 consultation is furnished to the referring practitioner within
129 10 business days following the completion of the initial
130 examination or consultation.

131 Section 3. Subsection (5) of section 459.008, Florida
132 Statutes, is repealed.

133 Section 4. Section 459.025, Florida Statutes, is created
134 to read:

135 459.025 Formal supervisory relationships, standing orders,
136 and established protocols; notice; standards.--

137 (1) NOTICE.--

138 (a) When an osteopathic physician enters into a formal
139 supervisory relationship or standing orders with an emergency
140 medical technician or paramedic licensed pursuant to s. 401.27,
141 which relationship or orders contemplate the performance of
142 medical acts, or when an osteopathic physician enters into an
143 established protocol with an advanced registered nurse
144 practitioner, which protocol contemplates the performance of
145 medical acts identified and approved by the joint committee

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

146 pursuant to s. 464.003(3)(c) or acts set forth in s. 464.012(3)
147 and (4), the osteopathic physician shall submit notice to the
148 board. The notice must contain a statement in substantially the
149 following form:

150 I,... (name and professional license number of osteopathic
151 physician), of... (address of osteopathic physician) have hereby
152 entered into a formal supervisory relationship, standing orders,
153 or an established protocol with... (number of persons)...
154 emergency medical technician(s),... (number of persons)...
155 paramedic(s), or... (number of persons)... advanced registered
156 nurse practitioner(s).

157 (b) Notice shall be filed within 30 days after entering
158 into the relationship, orders, or protocol. Notice also shall be
159 provided within 30 days after the osteopathic physician has
160 terminated any such relationship, orders, or protocol.

161 (2) PROTOCOLS REQUIRING DIRECT SUPERVISION.--All protocols
162 relating to electrolysis or electrology using laser or light-
163 based hair removal or reduction by persons other than
164 osteopathic physicians licensed under this chapter or chapter
165 458 shall require the person performing such service to be
166 appropriately trained and to work only under the direct
167 supervision and responsibility of an osteopathic physician
168 licensed under this chapter or chapter 458.

169 (3) SUPERVISORY RELATIONSHIPS IN MEDICAL OFFICE SETTINGS.-
170 -An osteopathic physician who supervises an advanced registered
171 nurse practitioner or physician assistant at a medical office
172 other than the osteopathic physician's primary practice
173 location, where the advanced registered nurse practitioner or
174 physician assistant is not under the onsite supervision of a
175 supervising osteopathic physician, must comply with the
176 standards set forth in this subsection. For the purpose of this

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

177 subsection, an osteopathic physician's "primary practice
178 location" means the address reflected on the physician's profile
179 published pursuant to s. 456.041.

180 (a) An osteopathic physician who is engaged in providing
181 primary health care services may not supervise more than four
182 offices in addition to the osteopathic physician's primary
183 practice location. For the purpose of this subsection, "primary
184 health care" means health care services that are commonly
185 provided to patients without referral from another practitioner,
186 including obstetrical and gynecological services, and excludes
187 practices providing primarily dermatologic and skin care
188 services, which include aesthetic skin care services.

189 (b) An osteopathic physician who is engaged in providing
190 specialty health care services may not supervise more than two
191 offices in addition to the osteopathic physician's primary
192 practice location. For the purpose of this subsection,
193 "specialty health care" means health care services that are
194 commonly provided to patients with a referral from another
195 practitioner and excludes practices providing primarily
196 dermatologic and skin care services, which include aesthetic
197 skin care services.

198 (c) An osteopathic physician who supervises an advanced
199 registered nurse practitioner or physician assistant at a
200 medical office other than the osteopathic physician's primary
201 practice location, where the advanced registered nurse
202 practitioner or physician assistant is not under the onsite
203 supervision of a supervising osteopathic physician and the
204 services offered at the office are primarily dermatologic or
205 skin care services, which include aesthetic skin care services
206 other than plastic surgery, must comply with the standards
207 listed in subparagraphs 1.-4. Notwithstanding s.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

208 459.022(4)(e)8., an osteopathic physician supervising a
209 physician assistant pursuant to this paragraph may not be
210 required to review and cosign charts or medical records prepared
211 by such physician assistant.

212 1. The osteopathic physician shall submit to the Board of
213 Osteopathic Medicine the addresses of all offices where he or
214 she is supervising or has a protocol with an advanced registered
215 nurse practitioner or a physician's assistant which are not the
216 osteopathic physician's primary practice location.

217 2. The osteopathic physician must be board-certified or
218 board-eligible in dermatology or plastic surgery as recognized
219 by the Board of Osteopathic Medicine pursuant to s. 459.0152.

220 3. All such offices that are not the osteopathic
221 physician's primary place of practice must be within 25 miles of
222 the osteopathic physician's primary place of practice or in a
223 county that is contiguous to the county of the osteopathic
224 physician's primary place of practice. However, the distance
225 between any of the offices may not exceed 75 miles.

226 4. The osteopathic physician may supervise only one office
227 other than the osteopathic physician's primary place of practice
228 except that until July 1, 2011, the osteopathic physician may
229 supervise up to two medical offices other than the osteopathic
230 physician's primary place of practice if the addresses of the
231 offices are submitted to the Board of Osteopathic Medicine
232 before July 1, 2006. Effective July 1, 2011, the osteopathic
233 physician may supervise only one office other than the
234 osteopathic physician's primary place of practice, regardless of
235 when the addresses of the offices were submitted to the Board of
236 Osteopathic Medicine.

237 (d) An osteopathic physician who supervises an office in
238 addition to the osteopathic physician's primary practice

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

239 location must conspicuously post in each of the osteopathic
240 physician's offices a current schedule of the regular hours when
241 the osteopathic physician is present in that office and the
242 hours when the office is open while the osteopathic physician is
243 not present.

244 (e) This subsection does not apply to health care services
245 provided in facilities licensed under chapter 395 or in
246 conjunction with a college of medicine or college of nursing or
247 an accredited graduate medical or nursing education program;
248 offices where the only service being performed is hair removal
249 by an advanced registered nurse practitioner or physician
250 assistant; not-for-profit, family-planning clinics that are not
251 licensed pursuant to chapter 390; rural and federally qualified
252 health centers; health care services provided in a nursing home
253 licensed under part II of chapter 400, an assisted living
254 facility licensed under part III of chapter 400, a continuing
255 care facility licensed under chapter 651, or a retirement
256 community consisting of independent living units and either a
257 licensed nursing home or assisted living facility; anesthesia
258 services provided in accordance with law; health care services
259 provided in a designated rural health clinic; health care
260 services provided to persons enrolled in a program designed to
261 maintain elderly persons and persons with disabilities in a home
262 or community-based setting; to university primary care student
263 health centers; to school health clinics; or health care
264 services provided in federal or state facilities.

265 (4) REQUIREMENTS FOR NOTICE AND REVIEW.--Upon initial
266 referral of a patient by another practitioner, the osteopathic
267 physician receiving the referral must ensure that the patient is
268 informed of the type of license held by the osteopathic
269 physician and the type of license held by any other practitioner

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

270 who will be providing services to the patient. When scheduling
271 the initial examination or consultation following such referral,
272 the patient may decide to see the osteopathic physician or any
273 other licensed practitioner supervised by the osteopathic
274 physician and, before the initial examination or consultation,
275 shall sign a form indicating the patient's choice of
276 practitioner. The supervising osteopathic physician must review
277 the medical record of the initial examination or consultation
278 and ensure that a written report of the initial examination or
279 consultation is furnished to the referring practitioner within
280 10 business days following the completion of the initial
281 examination or consultation.

282 Section 5. Subsection (3) of section 464.012, Florida
283 Statutes, is amended to read:

284 464.012 Certification of advanced registered nurse
285 practitioners; fees.--

286 (3) An advanced registered nurse practitioner shall
287 perform those functions authorized in this section within the
288 framework of an established protocol that is filed with the
289 board upon biennial license renewal and within 30 days after
290 entering into a supervisory relationship with a physician or
291 changes to the protocol. The board shall review the protocol to
292 ensure compliance with applicable regulatory standards for
293 protocols. The board shall refer to the department licensees
294 submitting protocols that are not compliant with the regulatory
295 standards for protocols. A practitioner currently licensed under
296 chapter 458, chapter 459, or chapter 466 shall maintain
297 supervision for directing the specific course of medical
298 treatment. Within the established framework, an advanced
299 registered nurse practitioner may:

300 (a) Monitor and alter drug therapies.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

(b) Initiate appropriate therapies for certain conditions.

(c) Perform additional functions as may be determined by rule in accordance with s. 464.003(3)(c).

(d) Order diagnostic tests and physical and occupational therapy.

Section 6. This act shall take effect July 1, 2006.

===== T I T L E A M E N D M E N T =====

Remove the entire title and insert:

A bill to be entitled

An act relating to health care practitioners; amending s. 456.041, F.S.; requiring advanced registered nurse practitioners to submit protocols as part of practitioner profiles to the Department of Health; amending s. 458.348, F.S.; providing requirements for the supervision of certain health care practitioners by physicians; repealing s. 459.008(5), F.S.; eliminating an option for osteopathic physicians to complete continuing education courses in end-of-life care in lieu of continuing education in AIDS/HIV; creating s. 459.025, F.S.; providing requirements for the supervision of certain health care practitioners by osteopathic physicians; requiring physicians or osteopathic physicians to supervise certain persons performing electrolysis using laser or light-based hair removal or reduction; amending 464.012, F.S.; requiring certain advanced registered nurse practitioners to file protocols with the Board of Nursing; specifying requirements for the protocols; providing an effective date.

House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET

Council/Committee: Health & Families
Council

Bill Number: HB 1027 CS

Meeting Date: 3/28/06

Date Received: _____

Place: Reed Hall

Date Reported: _____

Time: 9:00 AM

Subject: biomedical research

Council/Committee Action:

- | | |
|--|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input checked="" type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS	1		2		3		4	
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>		Bean								
<input checked="" type="checkbox"/>		Brandenburg	W/O		W/O		W/O		W/O	
<input checked="" type="checkbox"/>		Galvano								
<input checked="" type="checkbox"/>		Garcia	o/g		o/g		o/g		o/g	
<input checked="" type="checkbox"/>		H Gibson								
<input checked="" type="checkbox"/>		Harrell								
<input checked="" type="checkbox"/>		Homan								
<input checked="" type="checkbox"/>		Robaina								
<input checked="" type="checkbox"/>		Sobel								
<input checked="" type="checkbox"/>		Vana								
<input checked="" type="checkbox"/>		Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
11	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

***Speaker Codes**

Lobbyist: L	Proponent: P
State Employee: SE	Opponent: O
General Public: G	Information only: I
Requested to Speak: R	

Page 222

**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: Health & Families
Council

Bill Number: HB 1027 CS

Meeting Date: _____
Place: _____
Time: _____

Date Received: _____
Date Reported: _____
Subject: _____

Council/Committee Action:

- | | |
|---|---|
| <input type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS	5		6					
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
		Bean				✓				
		Brandenburg			✓					
		Galvano				✓				
		Garcia				✓				
		H Gibson				✓				
		Harrell				✓				
		Homan				✓				
		Robaina				✓				
		Sobel			✓					
		Vana			✓					
		Benson, Chair				✓				
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
					3	8				

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

***Speaker Codes**

Lobbyist: L	Proponent: P
State Employee: SE	Opponent: O
General Public: G	Information only: I
Requested to Speak: R	

Amendments to HB 1027 CS

HB w/CS 1027 – Biomedical Research
By Rep. Hasner
Amendments Offered in H&F Council 3/28/06

Amendment #1.

By Rep. Hasner
Remove line 262 and insert
“reviewed competitive process.”

Effect: Technical amendment removes the reference to incorrect statutory (s. 381.855, F.S.) reference.

Amendment #2.

By Rep. Hasner
Remove lines 465-466 and insert
“not for profit corporation on the basis of”

Effect: Technical amendment removes the reference to incorrect statutory (s. 381.855, F.S.) reference

Amendment #3.

By Rep. Hasner
Remove lines 486 – 491 and insert: interest. All employees, members of board of directors, and affiliates of the not-for-profit corporation shall follow the same rigorous guidelines for ethical conduct and shall adhere to the same strict policy with regard to conflict of interest.

Effect: Removes reference (specifically reference to confidentiality) to any potential public records exemption, which is addressed in separate public records exemption bill for the JBB Center (HB 7063).

Amendment #4.

By Rep. Hasner
On line 535, after Statutes, insert the words:
“These funds may not be used for any other purpose.”

Effect: Clarifies that funds appropriated to the JBB Research Institute may be used only for the purposes of conducting research, developing and operating integrated data projects and providing assistance to memory disorder clinics.

Amendment #5.

By Rep. Glorioso,
Remove lines 350-538, and insert a lengthy amendment.

Effect: Provides annual automatic funding to the JBB Center with a three-year (July 1, 2009) review.

Amendment #6.

By Rep. Sands
Between lines 509 and 510, insert a lengthy amendment.

Effect: Prohibits persons participating in an in vitro fertilization procedure from certain sales or transfers of embryonic tissue.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. HB 1027 CS

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	✓	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Hasner offered the following:

Amendment

5 Remove line(s) 262 and insert:
6 reviewed, competitive process.

03/27/2006 2:21 p.m.

Page 1 of 1

h1027-HFC-0602cr

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. **HB 1027 CS**

COUNCIL/COMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Hasner offered the following:

4 **Amendment**

5 Remove line(s) 465 and 466 and insert:

6 not-for-profit corporation on the basis of

03/27/2006 2:23 p.m.

Page 1 of 1

h1027-HFC-0603cr

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. **3** (for drafter's use only)

Bill No. **HB 1027 CS**

COUNCIL/COMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Hasner offered the following:

3
4 **Amendment**

5 Remove line(s) 486-491 and insert:

6 interest. All employees, members of board of directors,
7 and affiliates of the not-for-profit corporation shall follow
8 the same rigorous guidelines for ethical conduct and shall
9 adhere to the same strict policy with regard to conflict of
10 interest. A member of

03/27/2006 2:27 p.m.

Page 1 of 1

h1027-HFC-0604cr

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. **4** (for drafter's use only)

Bill No. **HB 1027 CS**

COUNCIL/COMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Hasner offered the following:
3

4 **Amendment**

5 On line(s) 535 after "Statutes." insert:

6 These funds may not be used for any other purpose.

03/27/2006 2:31 p.m.

Page 1 of 1

h1027-HFC-0605cr

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. **5** (for drafter's use only)

Bill No. 1027 CS

COUNCIL/COMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	___ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	✓ ___ (Y/N)
OTHER	___

1 Council/Committee hearing bill: Health & Families Council
2 Representative(s) Glorioso offered the following:

3
4 **Amendment (with directory and title amendments)**

5 Remove line(s) 350 - 538 and insert:

6 Section 10. Subsection (2), and subsection (6) of section
7 1004.445, Florida Statutes, are amended, and a new subsection
8 (11) is added to read:

9 1004.445 Johnnie B. Byrd, Sr., Alzheimer's Center and
10 Research Institute.--

11 (2)(a) The State Board of Governors ~~Education~~ shall enter
12 into an agreement for the utilization of the facilities on the
13 campus of the University of South Florida to be known as the
14 Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute,
15 including all furnishings, equipment, and other chattels used in
16 the operation of those facilities, with a Florida not-for-profit
17 corporation organized solely for the purpose of governing and
18 operating the Johnnie B. Byrd, Sr., Alzheimer's Center and
19 Research Institute. This not-for-profit corporation, acting as
20 an instrumentality of the state, shall govern and operate the
21 Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. ⁵ (for drafter's use only)

in accordance with the terms of the agreement between the State Board of Governors Education and the not-for-profit corporation. The not-for-profit corporation may, with the prior approval of the State Board of Governors Education, create either for-profit or not-for-profit corporate subsidiaries, or both, to fulfill its mission. The not-for-profit corporation and its subsidiaries are authorized to receive, hold, invest, and administer property and any moneys acquired from private, local, state, and federal sources, as well as technical and professional income generated or derived from practice activities of the institute, for the benefit of the institute and the fulfillment of its mission.

(b)1. The affairs of the not-for-profit corporation shall be managed by a board of directors who shall serve without compensation. The board of directors shall consist of the President of the University of South Florida and the chair of the State Board of Governors Education, or their designees, five ~~5~~ representatives of the state universities, and no fewer than nine ~~9~~ nor more than 14 representatives of the public who are neither medical doctors nor state employees. Each director who is a representative of a state university or of the public shall be appointed to serve a term of 3 years. The chair of the board of directors shall be selected by a majority vote of the directors. Each director shall have only one vote.

2. The initial board of directors shall consist of the President of the University of South Florida and the chair of the State Board of Governors Education, or their designees; the five university representatives, of whom one shall be appointed by the Governor, two by the President of the Senate, and two by the Speaker of the House of Representatives; and of the ~~of the~~ nine public representatives, ~~of whom~~ three shall be appointed by the

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. ⁵(for drafter's use only)

52 Governor, three by the President of the Senate, and three by the
53 Speaker of the House of Representatives. Upon the expiration of
54 the terms of the initial appointed directors, all directors
55 subject to 3-year terms of office under this paragraph shall be
56 appointed by a majority vote of the directors and the board may
57 be expanded to include additional public representative
58 directors up to the maximum number allowed. Any vacancy in
59 office shall be filled for the remainder of the term by majority
60 vote of the directors. Any director may be reappointed.

61 (6) The institute shall be administered by a chief
62 executive officer, who shall be appointed by and serve at the
63 pleasure of the board of directors of the not-for-profit
64 corporation, and who shall exercise the following powers and
65 duties, subject to the approval of the board of directors:

66 (a) The chief executive officer shall establish programs
67 that fulfill the mission of the institute in research,
68 education, treatment, prevention, and early detection of
69 Alzheimer's disease; however, the chief executive officer may
70 not establish academic programs for which academic credit is
71 awarded and which culminate in the conferring of a degree,
72 without prior approval of the State Board of Governors
73 Education.

74 (b) The chief executive officer shall have control over
75 the budget and the moneys appropriated or donated to the
76 institute from private, local, state, and federal sources, as
77 well as technical and professional income generated or derived
78 from practice activities of the institute. However, professional
79 income generated by university faculty from practice activities
80 at the institute shall be shared between the institute and the

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. ^S(for drafter's use only)

81 university as determined by the chief executive officer and the
82 appropriate university dean or vice president.

83 (c) The chief executive officer shall appoint
84 representatives of the institute to carry out the research,
85 patient care, and educational activities of the institute and
86 establish the compensation, benefits, and terms of service of
87 such representatives. Representatives of the institute shall be
88 eligible to hold concurrent appointments at affiliated academic
89 institutions. University faculty shall be eligible to hold
90 concurrent appointments at the institute.

91 (d) The chief executive officer shall have control over
92 the use and assignment of space and equipment within the
93 facilities.

94 (e) The chief executive officer shall have the power to
95 create the administrative structure necessary to carry out the
96 mission of the institute.

97 (f) The chief executive officer shall have a reporting
98 relationship to the Commissioner of Education.

99 (g) The chief executive officer shall provide a copy of
100 the institute's annual report to the Governor and Cabinet, the
101 President of the Senate, the Speaker of the House of
102 Representatives, and the chair of the State Board of Governors
103 Education. The annual report shall describe the expenditure of
104 all appropriated funds and shall provide information regarding
105 research that has been conducted or funded by the center, as
106 well as the expected and actual results of such research.

107 (h) By December 15 of each year, the chief executive
108 officer shall develop and submit to the Governor and Cabinet,
109 the President of the Senate, the Speaker of the House of
110 Representatives, and the chair of the State Board of Education

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. **S** (for drafter's use only)

111 Governors an annual operating budget detailing the planned use
112 of appropriated funds for the fiscal year.

113 (i) To facilitate Legislative oversight and to establish
114 the highest level of accountability for the investment of public
115 funds dedicated to Alzheimer's disease related research, the
116 Institute shall adopt standards of ethical conduct as recognized
117 in the scientific community, and shall adopt and implement
118 policies, procedures, and accountability standards related to
119 conflict-of-interest, confidentiality and the decision making
120 process for the awarding of research grants. All grants awarded
121 by the institute shall be evaluated by a panel of expert
122 scientific peer reviewers who are not engaged in research in the
123 state of Florida.

124 (11) Beginning in July 1, 2006, continuing through June
125 30, 2009, the Legislature shall annually appropriate funds to
126 the Johnnie B. Byrd, Sr., Alzheimer's Center and Research
127 Institute at the University of South Florida for the purposes of
128 this section and for developing and operating integrated data
129 projects, and providing assistance to the statutorily-designated
130 Memory Disorder Clinics. Beginning July 1, 2009, the Legislature
131 shall review the work of the Institute and may appropriate funds
132 for the purposes provided in this section.

133 Section 11. (1) The sum of \$6 million is appropriated
134 from the General Revenue Fund to the Biomedical Research Trust
135 Fund in the Department of Health for fiscal year 2006-2007 for
136 purposes of the James and Esther King Biomedical Research
137 Program pursuant to s. 215.5602, Florida Statutes. From these
138 funds up to \$250,000 shall be available for the operating costs
139 of the Florida Center for Universal Research to Eradicate
140 Disease.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. ^S (for drafter's use only)

41 (2) The sum of \$9 million is appropriated from the General
142 Revenue Fund to the Biomedical Research Trust Fund within the
143 Department of Health for purposes of the William G. "Bill"
144 Bankhead, Jr., and David Coley Cancer Research Program for the
145 2006-2007 fiscal year, and shall be distributed pursuant to s.
146 381.922, Florida Statutes, to provide grants to researchers
147 seeking cures for cancer, with emphasis given to the goals
148 enumerated in s. 381.921, Florida Statutes. From the total funds
149 appropriated, an amount of up to 10 percent may be used for
150 administrative expenses.

151 (3) The sum of \$15 million is appropriated from the
152 General Revenue Fund to the Grants and Donations Trust Fund
153 within the Department of Elderly Affairs for the Johnnie B.
154 Byrd, Sr., Alzheimer's Center and Research Institute at the
155 University of South Florida for fiscal year 2006-2007 for the
156 purposes provided in s. 1004.445, F.S., and for conducting
157 research, developing and operating integrated data projects, and
158 providing assistance to memory disorder clinics as provided
159 under s. 430.502, Florida Statutes.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. **6** (for drafter's use only)

Bill No. 1027

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT ☒ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER _____

Council/Committee hearing bill: Health & Families Council

Representative(s) Sands offered the following:

Amendment (with title amendment)

Between line(s) 509 and 510 insert:

Section 12. Section 742.14, Florida Statutes, is amended to read:

742.14 Donation of eggs, sperm, or preembryos.--

(1) The donor of any egg, sperm, or preembryo, other than the commissioning couple or a father who has executed a preplanned adoption agreement under s. 63.212, shall relinquish all maternal or paternal rights and obligations with respect to the donation or the resulting children. Only reasonable compensation directly related to the donation of eggs, sperm, and preembryos shall be permitted.

(2) A person participating in an in vitro fertilization procedure may not knowingly, for material or financial gain, purchase, sell, or otherwise transfer, or obtain or promote the sale or transfer of, embryonic tissue. Embryonic and adult stem cell material may be donated only with the informed and written consent of the donor. A person who violates this subsection

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 6 (for drafter's use only)

commits a felony of the second degree, punishable as provided in
s. 775.082, s. 775.083, and s. 775.084.

===== T I T L E A M E N D M E N T =====

Remove line 52 and insert:

new appointments; amending s. 742.14, F.S.; prohibiting persons
participating in an in vitro fertilization procedure from
certain sales or transfers of embryonic tissue; providing for
the donation of certain stem cell material for research under
certain circumstances; providing penalties; providing
appropriations; providing

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**House of Representatives
COUNCIL/COMMITTEE BILL ACTION WORK SHEET**

Council/Committee: **Health & Families**

Bill Number: **HB 7651**

Meeting Date: **3/28/06**

Date Received: _____

Place: **Red Hall**

Date Reported: _____

Time: **9:00 AM**

Subject: **Certificates of need**

Council/Committee Action:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Favorable | <input type="checkbox"/> Retained for Reconsideration |
| <input type="checkbox"/> Favorable w/ _____ amendments | <input type="checkbox"/> Reconsidered |
| <input type="checkbox"/> Favorable w/Council/Committee Substitute | <input type="checkbox"/> Temporarily Postponed |
| <input type="checkbox"/> Other Action: _____ | <input type="checkbox"/> Unfavorable |

Final Vote On Bill		MEMBERS								
Yea	Nay		Yea	Nay	Yea	Nay	Yea	Nay	Yea	Nay
<input checked="" type="checkbox"/>		Bean								
<input checked="" type="checkbox"/>		Brandenburg								
<input checked="" type="checkbox"/>		Galvano								
<input checked="" type="checkbox"/>		Garcia								
<input checked="" type="checkbox"/>		H Gibson								
<input checked="" type="checkbox"/>		Harrell								
<input checked="" type="checkbox"/>		Homan								
<input checked="" type="checkbox"/>		Robaina								
<input checked="" type="checkbox"/>		Sobel								
<input checked="" type="checkbox"/>		Vana								
<input checked="" type="checkbox"/>		Benson, Chair								
Yeas	Nays	TOTALS	Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
11	0									

Appearance Record

NAME	REPRESENTING	ADDRESS & PHONE	*CODE

***Speaker Codes**

Lobbyist: L	Proponent: P
State Employee: SE	Opponent: O
General Public: G	Information only: I
Requested to Speak: R	